

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No:

10/017,973

Applicant:

M. Oshima et al. December 7, 2001

Filed: Title:

MARK FORMING APPARATUS, METHOD OF FORMING LASER

MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL

DISK AND METHOD OF PRODUCING OPTICAL DISK

TC/A.U.:

2137

Confirmation:

9590

Examiner:

Paul E. Callahan

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop AF

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of the references listed on the 1449 form is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The following reference is not in the English language:

1) JP 01-243237

Reference 1) includes an English language abstract and was cited by a foreign patent examining authority in connection with the examination of a counterpart of the above identified application. A copy of this English language search

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PATENT MTS-520US5

report, indicating the degree of relevance determined by the foreign patent office is submitted herewith. MPEP 609 IIIA(3), second paragraph.

A copy of Reference US 5,050,150 was cited in an Information Disclosure Statement filed December 7, 2001, and a copy of Reference EP 0549488 was cited in an Information Disclosure Statement filed May 23, 2003.

STATEMENT UNDER 37 C.F.R. § 1.97(e)

The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

The required fee set forth in 37 C.F.R. § 1.17(p) is provided herewith.

Respectfully submitted,

Danie Jack J.\Jankovitz, Red

Attorneys for Applicants

JJJ/fp

Enclosures:

PTO Form 1449 (2 sheets)

(#2) References

European Search Report

Transmittal Form Fee Transmittal

Credit Card Payment Form (\$180)

Dated:

October 20, 2004

P.O. Box 980 Valley Forge, PA 19482

(610) 407-0700

authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

The Commissioner for Patents is hereby I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

October 20, 2004

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Substitute for Form 14497 BTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 1 of 2

Complete if Known					
Application Number	10/017,973				
Filing Date	December 7, 2001				
First Named Inventor	Mitsuaki OSHIMA, et al.				
Art Unit	2137				
Examiner Name	Paul E. Callahan				
Attorney Docket No.	MTS-520US5				

Date Considered

		Document Number	1 30 - 40 - 1000 1 apr 1 0 apr 2 do 2 d	DCUMENTS: 3.00	Pages, Columns, Lines, Where	
Examiner Initials*	Cite No. ¹	Number - Kind Code ^{2 (if known)}	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Relevant Passages or Relevant Figures Appear	
					1	

5	<i>C</i> '4-	Foreign Patent Document	Dublication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
Examiner Initials*	Cite No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (If known)	Publication Date (MM-DD-YYYY)	Applicant of Cited Document	Passages or Relevant Figures Appear	
		JP 01-243237 A (with English abstract)	09/27/89	RICOH CO LTD		
		EP 0 520 619 A	12/30/92	PIONEER ELECTRONIC CORP		
			·			

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*EXAMINER: Initial if reference considered,	whether or not citation is in conformance with MPEP 609.	Draw line through citation if not in conformance and not considered.	Include copy of this
form with next communication to Applicant.			

Examiner

Signature

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

form with next communication to Applicant.

Applicant's unique citation designation number (optional).

See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

The terroffice that issued the document, by the two-letter code (WIPO Standard St.3).

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08b (08-03) (AW 10/2003) Approved for use through 6/30/2006. OMB 0651-0031

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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SHEET 2 of 2

Complete if Known						
Application Number	10/017,973					
Filing Date	December 7, 2001					
First Named Inventor	Mitsuaki OSHIMA, et al.					
Art Unit	2137					
Examiner Name	Paul E. Callahan					
Attorney Docket No.	MTS-520US5					

		NON-PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		European Search Report for EP 04020082, dated October 6, 2004.	
Examiner Signature		Date Considered	<u> </u>

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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PTO/SB/21 (02-04) (AW 02/2004)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 4 + 2 refs.+

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Application Number	10/017,973	×
Filing Date	December 7, 2001	
First Named Inventor	M. Oshima et al.	
Art Unit	2137	
Examiner Name	Paul E. Callahan	
Attorney Docket No.	MTS-520US5	

	NCLOSURES (Check all that apply)					
Fee Transmittal Form Fee Attached	Drawing(s) Licensing-related Papers	After Allowance Communication to Group				
Amendment/Reply After Final Affidavits/Declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/	Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation, Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s)	Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below): Return postcard 2 references PTO Form 1449 European Search Report				
Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks:	> Credit Card Payment Form				
SIGNATUR	OF APPLICANT, ATTORNEY OR AG	SENT				
Firm or Individual Name Signature	Registration No. (Attorney/Ag					
Date October 20, 2004	Mont	<u> </u>				
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I hereby certify that this correspondence is being facsimil postage as first class mail in an envelope addressed to: 0	e transmitted to the USPTO or deposited with the U Commissioner for Patents, P.O. Box 1450, Alexand	rited States Postal Service with sufficient ia, VA 22313-1450 on this date:				
Typed or printed name Fran Petrillo		D.4				
Signature 101 1	01h, VIN	Date October 20, 2004				

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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PTO/SB/17 (10-03) (AW 09/2004)

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Attorney Docket No. MTS-520US5

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Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**or number previously paid, if greater; For Reissues, see above

Complete if Known						
Application Number	10/017,973					
Filing Date	December 7, 2001					
First Named Inventor	Mitsuaki OSHIMA, et al.					
Examiner Name	Paul E. Callahan					
Art Unit	2137					

TOTAL AMOUNT OF PAYMENT (\$) 180.00						Attorney Docket No. M				MTS-520US5			
METHOD OF PAYMENT (check all that apply)						FEE CALCULATION (continued)							
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1002	350	2002		Design filing fee		7	1402	340	2402	170	Filing a brief in support of an appeal		
1003	550	2003	275 !	Plant filing fee			1403	300	2403	150	Request for oral hearing		
1004	790			Reissue filing fee	-		1451	1,510	1451	1,510	Petition to institute a public use proceeding		
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1202	(*) 18	2202	9	Claims in exc	ess of 20		1810	790	2810	395	CFR § 1.129(a)) For each additional invention to be		
1201	88	2201	44	Independent of	claims in excess of 3						examined (37 CFR § 1.129(b))		
1203	300	2203	150	•	ndent claim, if not paid		1801	790	2801	395	Request for Continued Examination (RCE)		
1204	88	2204	44	original patent			1802	900	1802	900	Request for expedited examination of a design application		
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SUBMITTED BY Complete (if applicable)								
Name (Print/Type)	Jack 1, Jankovitz	egistration No. Adorney/Agent)	42,690	Telephone	(610) 407-0700			
Signature	1 Kink	はも		Date	October 20, 2004			

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